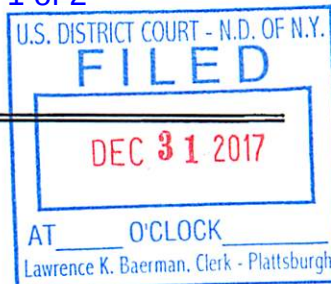


AO 91 (Rev. 01/09) Criminal Complaint



UNITED STATES DISTRICT COURT

for the

NORTHERN District of NEW YORK

United States of America)

v.)

Habib MUHAMMED)

AKA: Habib MAMMADOV)

Defendant)

Case No. 8:17-MJ-583 (GLF)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of December 30, 2017 in the county of Clinton in the Northern District of New York, the defendant violated 8 U. S. C. § 1324(a)(1)(A)(iv), an offense described as follows:

Habib Muhammad, Defendant, did, encourage and induce aliens, Bahodir Rustamov and Davlat Ahmedov, to come to enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, enter, and residence in the United States was in violation of law, this being in violation of Title 8, United States Code Section 1324(a)(1)(A)(iv).

This criminal complaint is based on these facts:

Defendant sought entry to enter the United States at the Mooers, NY Port of Entry on December 30, 2017 at approximately 00:10 hours. At time of inspection Defendant was the operator and sole occupant of a vehicle with license plate NY/HUW2802 and claimed to be returning to his home in Brooklyn, NY. Defendant claimed he had traveled to Montreal, Canada to visit a friend to discuss business. He explained that his GPS navigation had routed him through Mooers, NY. CBP officers noticed luggage in the vehicle inconsistent with the declared trip and referred defendant to secondary. During a vehicle search CBP officers noted two sets of wet footprints on the floor of the rear floorboard. Officers also found a folder in the center console of the vehicle containing Ontario Driver's License paperwork in the name "Davlat Ahmedov". During a further search of the luggage, a photocopy of an Uzbekistan passport in the identity of "Bahodir Rustamov" was located in one of the suitcases.

During a law enforcement interview defendant stated he had stayed one day in Montreal and one day in Toronto while in Canada and that his GPS was programed to avoid tolls and routed him to Mooers, NY. Defendant stated that no one had been in his vehicle and that he did not know either alien identified but that two unknown men had flagged him down north of the U.S. border on Hemmingford Road and persuaded him to transport their luggage to New York. Finally, defendant claimed he did not receive any money and denied being involved in any smuggling attempt because he knew "it is illegal" and does not need money.

X Continued on the attached sheet.

Complainant's signature

Andrew Harder, CBPOE
Printed name and title

Sworn to before me and signed in my presence.

Date: December 31, 2017

Judge's signature

City and state: Plattsburgh, NY

Gary L. Favro, U.S. Magistrate, N.D.N.Y.
Printed name and title

Criminal Complaint Continued, Page 2

Case Number: 8:17-MJ-583 (GLF)

U.S. Border Patrol agents responded to activity on December 30, 2017 at approximately 01:22 and apprehended both Davlat Ahmedov, an alien, citizen of Uzbekistan, and Bahodir Rustamov, an alien, citizen of Uzbekistan at an area west of the Mooer's, NY port of entry after they were found to be illegally present in the United States.

Defendant is a native of Armenia and citizen of the United States of America